

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE VALVE ANTITRUST LITIGATION

CASE NO. C21-0563-JCC

ORDER

On May 30, 2024, the Court granted in part and denied in part Defendant's motion to seal. (*See* Dkt. No. 236.) At issue were proposed redactions to (1) Plaintiffs' motion for class certification (Dkt. No. 225-1) and (2) an exhibit to a supporting declaration (Dkt. No. 225-3). Included with the Court's order were two exhibits, Exhibit A and Exhibit B, (Dkt. Nos. 237, 237-1), filed under seal, containing unredacted versions of the class certification motion and the exhibit to the supporting declaration (at issue in Defendant's motion).

Pursuant to the Court's instructions, the Clerk of the Court distributed Exhibit A and Exhibit B via e-mail to the parties. But the Court understands that the Clerk also inadvertently distributed Exhibit A and Exhibit B via e-mail to Intervenor Jason Brooks, Robert Austin McCuiston, and Apeirogon Games, along with Interested Parties Electronic Arts Inc, Nintendo of America Inc, Microsoft Corporation, Epic Games Inc, and Humble Bundle Inc. Upon realizing its error, the Clerk notified counsel for those non-parties that the distribution of this

1 unsealed material was inadvertent and directed them to disregard this information. The Court
2 expects counsel for those persons and entities to abide by their professional responsibilities with
3 respect to receipt of such information.

4 Nevertheless, in an abundance of caution, the Court affirmatively ORDERS those
5 persons and entities (through their counsel) to do the following, with respect to Exhibits A and B
6 (Dkt. Nos. 237, 237-1): (a) not distribute or use this information; (b) permanently delete / destroy
7 the documents and any reproductions thereof; (c) ensure any recipients of this information to do
8 the same; and (d) affirmatively certify to the Court no later than June 7, 2024, their compliance
9 with this order (including the compliance of any persons or entities who received the information
10 from an Intervenor or Interested Party).

11
12 DATED this 31st day of May 2024.

13
14
15 A handwritten signature in black ink, appearing to read "John C. Coughenour", is written over a horizontal line.

16 John C. Coughenour
17 UNITED STATES DISTRICT JUDGE
18
19
20
21
22
23
24
25
26